

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5240 OF 2007

The Commissioner, Nashik Mun. Corporation.....
Petitioner
V/s
ShriBhagwan Fakirchand Mundhare & Anr.....
Respondents.

Office Notes, Office) Court's or Judge's Orders
Memoranda of Coram, appearances)
Court's orders or directions and)
Registrar's orders.)

Mr.M.L.Patil, Adv. for the petitioner.

Mr.Umesh Mankapure, Adv. For
respondents.

CORAM: A.P. DESHPANDE, J.
4.4.2007

PC:

The present respondent No.1 filed a ULP complaint before the Industrial Court, Nashik and prayed for regularization in service. 54 similarly situated workers have claimed the same relief by filing writ petition in this Court vide Writ Petition No.6260/2000 and this Court had disposed of the writ petition by directing the Corporation to forward the proposal for regularization of said 54 employees and the State Government as well was directed to consider the said

proposal within given time frame. I am informed that the State Government has sanctioned creation of the said posts with a view to grant regularization to the said 54 workmen. The learned counsel for the petitioner has placed on record the Government Resolution dated 14.5.2002 which relates to creation of posts for wiremen and helpers who were employed in the electrical division of the Corporation. The said Government Resolution is taken on record and marked 'X' for identification. Following the course adopted by the High Court, the Industrial Court as well has passed an order on similar lines directing the Corporation to forward the proposal to the State Government with a view to ensure regularization of service of the complainant, as 54 similarly situated employees are already granted regularization in service pursuant to the order passed by the High Court and consequential decision taken by the State Government. As the case of the respondent is at par with the 54 employees who have filed writ petition, respondent herein is entitled to parity. Perused the order passed by the Industrial Court. Same does not call for any interference. Hence writ petition is summarily dismissed.

4.4.07.